

TENTATIVE RULING
ISSUED BY JUDGE CHRISTOPHER B. LATHAM

Debtor: JAY S. BERNSTEIN

Number: 14-00903-CL13

Hearing: 02:00 PM Wednesday, November 26, 2014

Motion: MOTION FOR DAMAGES AND SANCTIONS AGAINST WILLARD MICHLIN & ALON HACOEN, ESQ. FOR VIOLATION OF AUTOMATIC STAY FILED BY DEBTOR

The court will **hear** the matter. The court has reviewed the parties' submissions. And it is aware that a closely connected, parallel motion is before Judge Adler. *See* Case No. 11-05316-LA7. There, Richard Dehart – Debtor Jay Bernstein's business associate – filed a motion for damages and sanctions against Willard Michlin for violating his bankruptcy discharge. And Judge Adler issued a tentative ruling on November 18, 2014, heard the matter on November 20, 2014, and sent a letter of opinion on November 24, 2014.

This case is under Chapter 13, not Chapter 7, and this motion is for violation of the automatic stay, not the discharge injunction. But the operative facts in this matter appear to be substantially similar to those in the related matter. And the standards for violation of the automatic stay and the discharge injunction are similar. The court intends to resolve the matter in accord with Judge Adler's findings and conclusions in *In re Dehart*. The parties should come prepared to discuss these matters.